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Fifty-third session
Agenda item 124 (a)

Financing of the activities arising from Security Council resolution 687 (1991): United Nations Iraq-Kuwait Observation Mission

Report of the Fifth Committee

Rapporteur: Mr. Tammam **Sulaiman** (Syrian Arab Republic)

I. Introduction

1. At its 3rd plenary meeting, on 15 September 1998, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-third session the item entitled "Financing of the activities arising from Security Council resolution 687 (1991): United Nations Iraq-Kuwait Observation Mission" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 55th, 56th and 62nd meetings, on 10, 11 and 27 May 1999. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/53/SR.55, 56 and 62).

3. For its consideration of the item, the Committee had before it the reports of the Secretary-General on the financing of the activities arising from Security Council resolution 687 (1991): United Nations Iraq-Kuwait Observation Mission (A/53/782 and A/53/817) and the related reports of the Advisory Committee on Administrative and Budgetary Questions (A/53/895 and Add.2).

II. Consideration of draft resolution A/C.5/53/L.60

4. At the 62nd meeting, on 27 May, the representative of the Republic of Korea and coordinator of the informal consultations on item 124 (a), on behalf of the Chairman, introduced a draft resolution entitled "Financing of the activities arising from Security

99-16286 (E) 040699

Council resolution 687 (1991): United Nations Iraq-Kuwait Observation Mission" (A/C.5/53/L.60).

5. At the same meeting, the Committee adopted draft resolution A/C.5/53/L.60 without a vote (see para. 6).

III. Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the activities arising from Security Council resolution 687 (1991): United Nations Iraq-Kuwait Observation Mission

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Iraq-Kuwait Observation Mission[1] and the related reports of the Advisory Committee on Administrative and Budgetary Questions,[2]

Recalling Security Council resolutions 687 (1991) of 3 April 1991 and 689 (1991) of 9 April 1991, by which the Council decided to establish the United Nations Iraq-Kuwait Observation Mission and to review the question of its termination or continuation every six months,

Recalling also its resolution 45/260 of 3 May 1991 on the financing of the Observation Mission and its subsequent resolutions and decisions thereon, the latest of which was resolution 52/238 of 26 June 1998,

Reaffirming that the costs of the Observation Mission that are not covered by voluntary contributions are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Recalling its previous decisions regarding the fact that, in order to meet the expenditures caused by the Observation Mission, a different procedure is required from that applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such an operation,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963, in the financing of such operations,

Expressing its appreciation for the substantial voluntary contributions made to the Observation Mission by the Government of Kuwait and the contributions of other Governments,

Mindful of the fact that it is essential to provide the Observation Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

[1] A/53/782 and A/53/817.

[2] A/53/895 and Add.2.

1. *Takes note* of the status of contributions to the United Nations Iraq-Kuwait Observation Mission as at 30 April 1999, including the contributions outstanding in the amount of 9.8 million United States dollars, representing some 4 per cent of the total assessed contributions from the inception of the Mission to the period ending 30 April 1999, notes that some 21 per cent of the Member States have paid their assessed contributions in full, and urges all other Member States concerned, in particular those in arrears, to ensure the payment of their outstanding assessed contributions;

2. *Expresses its continued appreciation* of the decision of the Government of Kuwait to defray two thirds of the cost of the Observation Mission, effective 1 November 1993;

3. *Expresses concern* about the financial situation with regard to peacekeeping activities, in particular as regards the reimbursement of troop contributors, which bear additional burdens owing to overdue payments by Member States of their assessments;

4. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full;

5. *Urges* all other Member States to make every possible effort to ensure payment of their assessed contributions to the Observation Mission in full and on time;

6. *Endorses* the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[3]

7. *Requests* the Secretary-General to take all necessary action to ensure that the Observation Mission is administered with a maximum of efficiency and economy;

8. *Also requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Observation Mission against General Service posts, commensurate with the requirements of the Mission;

9. *Decides* to appropriate to the Special Account for the United Nations Iraq-Kuwait Observation Mission the amount of 53,991,024 dollars gross (51,996,124 dollars net) for the maintenance of the Mission for the period from 1 July 1999 to 30 June 2000, inclusive of the amount of 2,686,445 dollars for the support account for peacekeeping operations and the amount of 526,779 dollars for the United Nations Logistics Base at Brindisi, a two-thirds share of this amount, equivalent to 34,664,080 dollars, to be funded through voluntary contributions from the Government of Kuwait, subject to the review by the Security Council with regard to the question of termination or continuation of the Mission;

10. *Decides also*, as an ad hoc arrangement, taking into consideration the funding through voluntary contributions from the Government of Kuwait of the two-thirds share of the cost of the Observation Mission, equivalent to 34,664,080 dollars, to apportion among Member States the amount of 19,326,944 dollars gross (17,332,044 dollars net), representing one third of the cost of the maintenance of the Mission for the period from 1 July 1999 to 30 June 2000, the said amount to be apportioned at a monthly rate of 1,610,579 dollars gross (1,444,337 dollars net), in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolutions 44/192 B of 21 December 1989, 45/269 of 27 August 1991, 46/198 A of 20 December 1991, 47/218 A of 23 December 1992, 49/249 A of 20 July 1995, 49/249 B of 14 September 1995, 50/224 of 11 April 1996, 51/218 A to C of 18 December 1996 and 52/230 of 31 March 1998 and its decisions 48/472 A of 23 December 1993 and 50/451 B and 50/471 A of 23 December 1995, and taking into account the scale of

[3] A/53/895/Add.2.

assessments for the years 1999 and 2000, as set out in its resolution 52/215 A of 22 December 1997, subject to the review by the Security Council with regard to the question of termination or continuation of the Mission;

11. *Decides further* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 10 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 1,994,900 dollars approved for the Observation Mission for the period from 1 July 1999 to 30 June 2000;

12. *Decides* that, taking into consideration the funding through voluntary contributions from the Government of Kuwait of the two-thirds share of the cost of the Observation Mission, for Member States that have fulfilled their financial obligations to the Mission there shall be set off against the apportionment, as provided for in paragraph 10 above, their respective share of the unencumbered balance of 1,339,300 dollars gross (1,028,100 dollars net), representing one third of the unencumbered balance of 3,395,500 dollars gross (3,084,300 dollars net) in respect of the period from 1 July 1997 to 30 June 1998;

13. *Decides also* that, for Member States that have not fulfilled their financial obligations to the Observation Mission, their share of the unencumbered balance of 1,339,300 dollars gross (1,028,100 dollars net) for the period from 1 July 1997 to 30 June 1998 shall be set off against their outstanding obligations;

14. *Decides further* that two thirds of the net unencumbered balance of 3,084,300 dollars, equivalent to 2,056,200 dollars, shall be returned to the Government of Kuwait;

15. *Expresses concern* that the Secretary-General has not submitted to the General Assembly at the main part of its fifty-third session the separate report on developments relating to the issue of overpayment of mission subsistence allowance and compensatory time off, including measures taken with respect to those responsible for the overpayment on the basis of the conclusion of the inquiry, as requested in paragraph 18 of Assembly resolution 52/238 of 26 June 1998, and requests the Secretary-General to submit that report to the Assembly no later than 30 June 1999;

16. *Invites* voluntary contributions to the Observation Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedures and practices established by the General Assembly;

17. *Decides* to include in the provisional agenda of its fifty-fourth session, under the item entitled "Financing of the activities arising from Security Council resolution 687 (1991)", the sub-item entitled "United Nations Iraq-Kuwait Observation Mission".

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Fifty-third session
Agenda item 126

Financing and liquidation of the United Nations Transitional Authority in Cambodia

Report of the Fifth Committee

Rapporteur: Mr. Tammam **Sulaiman** (Syrian Arab Republic)

I. Introduction

1. At its 3rd plenary meeting, on 15 September 1998, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-third session the item entitled "Financing and liquidation of the United Nations Transitional Authority in Cambodia" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 55th, 56th and 62nd meetings, on 10, 11 and 27 May 1999. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/53/SR.55, 56 and 62).

3. For its consideration of the item, the Committee had before it the report of the Secretary-General on the financing and liquidation of the United Nations Transitional Authority in Cambodia (A/53/340) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/53/895).

II. Consideration of draft resolution A/C.5/53/L.52

4. At the 62nd meeting, on 27 May, the Chairman introduced a draft resolution entitled "Financing and liquidation of the United Nations Transitional Authority in Cambodia" (A/C.5/53/L.52).

5. At the same meeting, the Committee adopted draft resolution A/C.5/53/L.52 without a vote (see para. 6).

99-16292 (E) 040699

III. Recommendation of the Fifth Committee

6. the Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing and liquidation of the United Nations Transitional Authority in Cambodia

The General Assembly,

Recalling its resolution 52/239 of 26 June 1998,

Recalling also its decision 52/485 of 26 June 1998,

Having considered the report of the Secretary-General on the financing and liquidation of the United Nations Transitional Authority in Cambodia[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

1. *Notes with concern* that the provisions of its decision 52/485 have not been complied with, and reiterates that all reports on the final disposition of assets should contain detailed information on and justification of written-off and lost items;

2. *Expresses its deep concern* regarding the losses of the United Nations property in this mission;

3. *Takes note* of the report of the Secretary-General relating to the losses of United Nations assets in peacekeeping operations;[1]

4. *Endorses* the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions contained in paragraphs 49 to 55 of its report;[2]

5. *Requests* the Secretary-General to provide an updated report for the period 1 January 1996 to 31 December 1997 on losses of United Nations property in peacekeeping operations to the General Assembly at its fifty-fourth session;

6. *Also requests* the Secretary-General to ensure the safety of United Nations assets and the need to have accountability procedures in place to deter and penalize those responsible for the losses of United Nations property and to report thereon to the General Assembly at its fifty-fourth session.

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[1] A/53/340.

[2] A/53/895.

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Fifty-third session
Agenda item 161

Financing of the United Nations Mission in the Central African Republic

Report of the Fifth Committee

Rapporteur: Mr. Tammam **Sulaiman** (Syrian Arab Republic)

I. Introduction

1. At its 3rd plenary meeting, on 15 September 1998, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-third session the item entitled "Financing of the United Nations Mission in the Central African Republic" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 55th, 56th, 61st and 62nd meetings, on 10, 11, 25 and 27 May 1999. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/53/SR.55, 56, 61 and 62).

3. For its consideration of the item, the Committee had before it the reports of the Secretary-General on the financing of the United Nations Mission in the Central African Republic (A/53/791 and A/53/939) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/53/971).

II. Consideration of draft resolution A/C.5/53/L.66

4. At the 62nd meeting, on 27 May, the Chairman of the Committee introduced a draft resolution entitled "Financing of the United Nations Mission in the Central African Republic" (A/C.5/53/L.66), submitted on the basis of informal consultations.

5. At the same meeting, the Committee adopted draft resolution A/C.5/53/L.66 without a vote (see para. 6).

99-16298 (E) 040699

III. Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the United Nations Mission in the Central African Republic

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Mission in the Central African Republic[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

Bearing in mind Security Council resolution 1159 (1998) of 27 March 1998, by which the Council decided to establish the United Nations Mission in the Central African Republic, and the subsequent resolutions by which the Council extended the mandate of the Mission, the latest of which was resolution 1230 (1999) of 26 February 1999,

Recalling its resolution 52/249 of 26 June 1998 on the financing of the Mission,

Reaffirming that the costs of the Mission are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Recalling its previous decisions regarding the fact that, in order to meet the expenditures caused by the Mission, a different procedure is required from that applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such an operation,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963, in the financing of such operations,

Noting with appreciation that voluntary contributions have been made to the Mission,

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Takes note* of the status of contributions to the United Nations Mission in the Central African Republic as at 30 April 1999, including the contributions outstanding in the amount of 15.9 million United States dollars, representing 34 per cent of the total assessed contributions from the inception of the Mission to the period ending 30 November 1998, notes that some 26 per cent of the Member States have paid their assessed contributions in full, and urges all other Member States concerned, in particular those in arrears, to ensure the payment of their outstanding assessed contributions;

2. *Expresses concern* about the financial situation with regard to peacekeeping activities, in particular as regards the reimbursement of troop contributors, which bear additional burdens owing to overdue payments by Member States of their assessments;

[1] A/53/791 and A/53/939.

[2] A/53/971.

3. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full;

4. *Urges* all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full and on time;

5. *Endorses* the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions; [2]

6. *Requests* the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

7. *Also requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

8. *Approves*, on an exceptional basis, the special arrangements for the Mission with regard to the application of article IV of the financial regulations of the United Nations, whereby appropriations required in respect of obligations owed to Governments providing contingents and/or logistical support for the Mission shall be retained beyond the period stipulated under financial regulations 4.3 and 4.4, as set out in the annex to the present resolution;

9. *Decides* to appropriate to the Special Account for the United Nations Mission in the Central African Republic the amount of 34,309,800 dollars gross (33,860,700 dollars net) for the operation of the Mission for the period from 1 July 1998 to 30 June 1999, in addition to the amount of 29,105,850 gross (28,369,350 dollars net) already appropriated under the terms of General Assembly resolution 52/249 and inclusive of the amount of 18,111,200 dollars gross (17,728,700 dollars net) authorized by the Advisory Committee under the terms of section IV of Assembly resolution 49/233 A of 23 December 1994;

10. *Decides also*, as an ad hoc arrangement, taking into account the amount of 29,105,850 gross (28,369,350 dollars net) already apportioned under the terms of General Assembly resolution 52/249, to apportion among Member States the additional amount of 34,309,800 dollars gross (33,860,700 dollars net) for the period from 1 July 1998 to 30 June 1999, in accordance with the composition of groups set out in paragraphs 3 and 4 of its resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolutions 44/192 B of 21 December 1989, 45/269 of 27 August 1991, 46/198 A of 20 December 1991, 47/218 A of 23 December 1992, 49/249 A of 20 July 1995, 49/249 B of 14 September 1995, 50/224 of 11 April 1996, 51/218 A to C of 18 December 1996 and 52/230 of 31 March 1998 and its decisions 48/472 A of 23 December 1993 and 50/451 B of 23 December 1995, and taking into account the scale of assessments for the years 1998 and 1999, as set out in its resolution 52/215 A of 22 December 1997;

11. *Decides further* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 10 above, their respective share in the Tax Equalization Fund of the estimated additional staff assessment income of 449,100 dollars approved for the Mission for the period from 1 July 1998 to 30 June 1999;

12. *Decides* to appropriate the amount of 33,367,875 dollars gross (32,572,675 dollars net) for the operation and liquidation of the Mission for the period from 1 July 1999 to 30 June 2000, inclusive of the amount of 1,659,640 dollars for the support account for peacekeeping operations and the amount of 325,435 dollars for the United Nations Logistics Base at Brindisi, to be apportioned as an ad hoc arrangement among Member States in

accordance with the scheme set out in the present resolution and the scale of assessments for the years 1999 and 2000, as set out in its resolution 52/215 A;

13. *Decides also* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 12 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 795,200 dollars approved for the period from 1 July 1999 to 30 June 2000;

14. *Decides further* that, for Member States that have fulfilled their financial obligations to the Mission, there shall be set off against their apportionment, as provided for in paragraph 10 above, their respective share of the unencumbered balance of 1,893,000 dollars gross (1,791,800 dollars net) in respect of the period from 1 July 1997 to 30 June 1998;

15. *Decides* that, for Member States that have not fulfilled their financial obligations to the Mission, their share of the unencumbered balance of 1,893,000 dollars gross (1,791,800 dollars net) for the period from 1 July 1997 to 30 June 1998 shall be set off against their outstanding obligations;

16. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedures and practices established by the General Assembly;

17. *Decides* to include in the provisional agenda of its fifty-fourth session the agenda item entitled "Financing of the United Nations Mission in the Central African Republic".

Annex

Special arrangements with regard to the application of article IV of the financial regulations of the United Nations

1. At the end of the twelve-month period provided for in financial regulation 4.3, any unliquidated obligations of the financial period in question relating to goods supplied and services rendered by Governments for which claims have been received or which are covered by established reimbursement rates shall be transferred to accounts payable; such accounts payable shall remain recorded in the Special Account for the United Nations Mission in the Central African Republic until payment is effected.

2. (a) Any other unliquidated obligations of the financial period in question owed to Governments for goods supplied and services rendered, as well as other obligations owed to Governments, for which required claims have not yet been received shall remain valid for an additional period of four years following the end of the twelve-month period provided for in financial regulation 4.3;

(b) Claims received during this four-year period shall be treated as provided for under paragraph 1 of the present annex, if appropriate;

(c) At the end of the additional four-year period, any unliquidated obligations shall be cancelled and the then remaining balance of any appropriations retained therefor shall be surrendered.

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Financing of the United Nations Protection Force, the United Nations Confidence Restoration Operation in Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces headquarters

Financing of the United Nations Operation in Somalia II

Financing of the United Nations Mission in Haiti

Financing of the United Nations Assistance Mission for Rwanda

Report of the Fifth Committee

Rapporteur: Mr. Tammam **Sulaiman** (Syrian Arab Republic)

I. Introduction

1. At its 3rd plenary meeting, on 15 September 1998, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-third session the items entitled "Financing of the United Nations Protection Force, the United Nations Confidence Restoration Operation in Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces headquarters", "Financing of the United Nations Operation in Somalia II", "Financing of the United Nations Mission in Haiti" and "Financing of the United Nations Assistance Mission for Rwanda" and to allocate them to the Fifth Committee.

2. The Fifth Committee considered the items at its 55th, 56th and 62nd meetings, on 10, 11 and 27 May 1999. Statements and observations made in the course of the Committee's consideration of the items are reflected in the relevant summary records (A/C.5/53/SR.55, 56 and 62).

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3. For its consideration of the items, the Committee had before it the notes by the Secretary-General on the financing of the United Nations Protection Force, the United Nations Confidence Restoration Operation in Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces headquarters (A/C.5/53/56), on the financing of the United Nations Operation in Somalia II (A/C.5/53/52), on the financing of the United Nations Mission in Haiti (A/C.5/53/55) and on the financing of the United Nations Assistance Mission for Rwanda (A/C.5/53/57) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/53/895).

II. Consideration of draft decision A/C.5/53/L.57

4. At the 62nd meeting, on 27 May, the Chairman of the Committee introduced a draft decision entitled "Financing of the United Nations Protection Force, the United Nations Confidence Restoration Operation in Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces headquarters, financing of the United Nations Operation in Somalia II, financing of the United Nations Mission in Haiti and financing of the United Nations Assistance Mission for Rwanda" (A/C.5/53/L.57), submitted on the basis of informal consultations.

5. At the same meeting, the Committee adopted draft decision A/C.5/53/L.57 without a vote (see para. 6).

III. Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft decision:

Financing of the United Nations Protection Force, the United Nations Confidence Restoration Operation in Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces headquarters, financing of the United Nations Operation in Somalia II, financing of the United Nations Mission in Haiti and financing of the United Nations Assistance Mission for Rwanda

The General Assembly

(a) Takes note of the notes by the Secretary-General[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[2]

(b) Requests the Secretary-General to take all necessary action to address the outstanding issues in connection with the preparation of the related final performance information;

(c) Approves, on an exceptional basis, the special arrangements for the United Nations Operation in Somalia with regard to the application of article IV of the financial regulations of the United Nations, whereby appropriations required in respect of obligations owed to Governments providing contingents and/or logistic support for the Operation shall

[1] A/C.5/53/52, A/C.5/53/55, A/C.5/53/56 and A/C.5/53/57.

[2] A/53/895, paras. 43–48.

be retained beyond the period stipulated under financial regulations 4.3 and 4.4, as set out in the annex to the present decision;

(d) Decides to include in the provisional agenda of its fifty-fourth session the items entitled "Financing of the United Nations Protection Force, the United Nations Confidence Restoration Operation in Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces headquarters", "Financing of the United Nations Operation in Somalia II", "Financing of the United Nations Mission in Haiti" and "Financing of the United Nations Assistance Mission for Rwanda".

Annex

Special arrangements with regard to the application of article IV of the financial regulations of the United Nations

1. At the end of the twelve-month period provided for in financial regulations 4.3, any unliquidated obligations of the financial period in question relating to goods supplied and services rendered by Governments for which claims have been received or which are covered by established reimbursement rates shall be transferred to accounts payable; such accounts payable shall remain recorded in the Special Account for the United Nations Operation in Somalia II until payment is effected;

2. (a) Any other unliquidated obligations of the financial period in question owed to Governments for goods supplied and services rendered, as well as other obligations owed to Governments, for which required claims have not yet been received, shall remain valid for an additional period of four years following the end of the twelve-month period provided for in financial regulation 4.3;

(b) Claims received during this four-year period shall be treated as provided under paragraph 1 of the present annex, if appropriate;

(c) At the end of the additional four-year period, any unliquidated obligations shall be cancelled and the then remaining balance of any appropriations retained therefor shall be surrendered.

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GENERAL ASSEMBLY
Fifty-third session
Agenda item 62
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-fourth year

Letter dated 1 June 1999 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government and further to my letter dated 18 May 1999, I have the honour to draw your attention to new violations of the flight information region (FIR) of Nicosia and the national airspace of the Republic of Cyprus by military aircraft of the Turkish Air Force, recorded on 20, 24, 25, 26, 27 and 28 May 1999.

On 20 May 1999, three (3) military aircraft of the Turkish Air Force (one F-4, one C-130 and one of unidentified type) entered the Nicosia FIR, violating international air traffic regulations.

The F-4 violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia before returning to the FIR of Ankara.

The C-130 and the unidentified type of aircraft, violated the national airspace of the Republic of Cyprus, flying over the area of Mesaoria before landing at the illegal airport of Tymbou in the occupied area of the Republic, from where they departed the same day, returning to the FIR of Ankara.

On 24 May 1999, one (1) B-200 Turkish aircraft entered the Nicosia FIR, violating international air traffic regulations. The aircraft in question violated the national airspace of the Republic of Cyprus, flying over the area of Mesaoria before landing, at 1211 hours, at the illegal airport of Tymbou in the occupied area of the Republic, from where it departed at 2022 hours of the same day, returning to the FIR of Ankara.

On 25 May 1999, five (5) military aircraft of the Turkish Air Force (four F-16 and one of unidentified type) entered the Nicosia FIR, violating international air traffic regulations.

The four F-16 aircraft violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia, before returning to the FIR of Ankara.

The unidentified type of aircraft violated the national airspace of the Republic of Cyprus, flying over the area of Mesaoria before landing at the illegal airport of Tymbou in the occupied area of the Republic.

On 26 May 1999, two (2) RF-4 military aircraft of the Turkish Air Force entered the Nicosia FIR, violating international air traffic regulations.

The aircraft in question violated the national airspace of the Republic of Cyprus, flying over the areas of Kormakitis, Kyrenia, Karpasia and the Bay of Famagusta before returning to the FIR of Ankara.

On 27 May 1999, one (1) C-160 Turkish military aircraft entered the Nicosia FIR, violating international air traffic regulations. The aircraft in question violated the national airspace of the Republic of Cyprus, flying over the area of Karpasia before exiting in a southeasterly direction.

Furthermore, on 28 May 1999, four (4) F-4 military aircraft of the Turkish Air Force entered the Nicosia FIR, violating international air traffic regulations.

As stated in my previous letters, these Turkish unauthorized intrusions into the Nicosia FIR and the national airspace of the Republic of Cyprus are in violation of international air traffic rules and, at the same time, they are in contravention to the provisions of the Security Council resolutions on Cyprus.

On behalf of the Government of the Republic of Cyprus, I wish to strongly protest these new provocative acts by Turkey which demonstrate once more Turkey's blatant disregard of international law, the Charter of the United Nations and all the relevant decisions of the Organization on the question of Cyprus.

I would like, once again, to underline that the present violations occurred after the adoption of Security Council resolutions 1217 (1998) and 1218 (1998) in which the Council called upon all States to respect the sovereignty and territorial integrity of the Republic of Cyprus and to refrain from any action which might prejudice that sovereignty, independence or territorial integrity. My Government expects that the Turkish side will show compliance with the provisions of these resolutions.

Such provocative actions are not conducive to reducing tension and run counter to the initiative of the Secretary-General, announced on 30 September 1998, within the framework of his Mission of Good Offices, with the goal of reducing tensions and promoting progress towards a just and lasting settlement in Cyprus.

Furthermore, the continuing overflights by the Turkish Air Force and the presence of the Turkish military occupation forces on the island constitute the underlying causes of tension in Cyprus.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 62, and of the Security Council.

(Signed) Sotos ZACKHEOS
Ambassador
Permanent Representative

United Nations A/53/992

General Assembly

Distr.: General
2 June 1999

Original: English

Fifty-third session
Agenda items 13 and 149
Report of the International Court of Justice
United Nations Decade of International Law

Letter dated 27 May 1999 from the Permanent Representatives of Bosnia and Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General

On behalf of the Government of Bosnia and Herzegovina, the Government of the Republic of Croatia, the Government of the former Yugoslav Republic of Macedonia and the Government of Slovenia, we should like to refer to the depositary notification concerning the declaration under article 36, paragraph 2, of the Statute of the International Court of Justice made by the Federal Republic of Yugoslavia (Serbia and Montenegro) on 25 April 1999. The depositary notification states that the Federal Republic of Yugoslavia (Serbia and Montenegro) lodged the notification, by which it recognized the jurisdiction *ipso facto* of the said Court in accordance with article 36, paragraph 2, of the Statute of the Court.

Our respective Governments would like to express our disagreement with the content of the above-quoted notification. The notification can have no legal effect whatsoever, because the Federal Republic of Yugoslavia (Serbia and Montenegro) is not a State Member of the United Nations, nor is it a State party to the Statute of the Court, that could make a valid declaration under article 36, paragraph 2, of the Statute of the Court. Consequently, there was no legal basis for the acceptance or circulation of the invalid document in question.

In this connection, we would once again like to draw your attention to Security Council resolution 777 (1992) and General Assembly resolution 47/1, both of which explicitly state that the State known as the Socialist Federal Republic of Yugoslavia had ceased to exist, that the Federal Republic of Yugoslavia (Serbia and Montenegro) could not automatically continue the membership of the former Socialist Federal Republic of Yugoslavia in the United Nations, and that the Federal Republic of Yugoslavia (Serbia and Montenegro) should apply for membership in the United Nations. Until the Federal Republic of Yugoslavia (Serbia and Montenegro) has complied with the requirements of those resolutions, it cannot be considered a State Member of the United Nations.

Since a new application for membership in the United Nations, pursuant to Article 4 of the Charter of the United Nations, has not been made by the Federal Republic of

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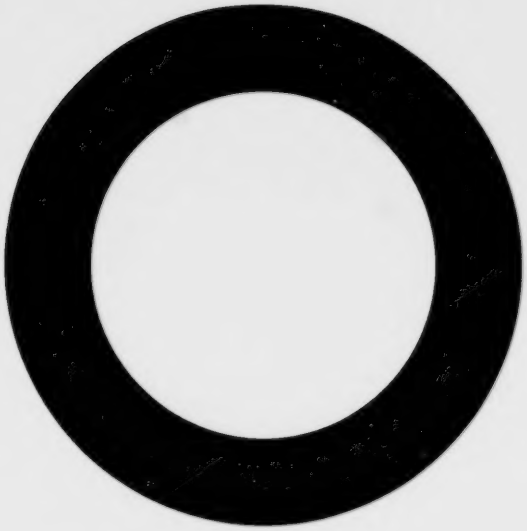

United Nations A/53/993

General Assembly

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Fifty-third session
Agenda item 165

Joint Inspection Unit

Report of the Fifth Committee

Rapporteur: Mr. Tammam **Sulaiman** (Syrian Arab Republic)

I. Introduction

1. At its 3rd plenary meeting, on 15 September 1998, the General Assembly on the recommendation of the General Committee, decided to include in the agenda of its fifty-third session the item entitled "Joint Inspection Unit" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 16th to 18th and 63rd meetings, on 29 and 30 October and 2 November 1998 and on 28 May 1999. Comments and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/53/SR.16–18 and 63).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Annual reports of the Joint Inspection Unit for the periods from 1 July 1995 to 30 June 1996[1] and 1 July 1996 to 30 June 1997;[2]

(b) Note by the Secretary-General transmitting the programme of work of the Joint Inspection Unit for 1996–1997, the indicative list for 1997–1998 and beyond and the internal roster (A/51/559 and Corr.1);

(c) Report of the Secretary-General on the implementation of the recommendations of the Joint Inspection Unit (A/52/206);

(d) Note by the Secretary-General transmitting the programme of work of the Joint Inspection Unit for 1997–1998 and the preliminary programme of work for 1998–1999 (A/52/267);

[1] *Official Records of the General Assembly, Fifty-first Session, Supplement No. 34* (A/51/34).
[2] Ibid., *Fifty-second Session, Supplement No. 34* (A/52/34).

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(e) Note by the Secretary-General transmitting a note by the Joint Inspection Unit dated 15 July 1998 regarding its decision to revert to the previous January–December cycle for its programme of work and to adjust its annual report to the same cycle (A/53/180);

(f) Note by the Secretary-General transmitting the programme of work of the Joint Inspection Unit for 1999 and the preliminary listing of potential reports for 2000 and beyond (A/53/841).

II. Consideration of a draft decision proposed by the Chairman

4. At its 63rd meeting, on 28 May 1999, following a statement by the representative of the Syrian Arab Republic, Rapporteur of the Committee and coordinator of informal consultations on this item, and on the proposal of the Chairman, the Committee decided, without a vote, to recommend to the General Assembly that it defer consideration of this item to the main part of its fifty-fourth session (see para. 6).

5. Following the adoption of the draft decision, statements in explanation of position were made by the representatives of Cuba and Algeria (see A/C.5/53/SR.63).

III. Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft decision:

Joint Inspection Unit

The General Assembly decides to defer consideration of the item entitled "Joint Inspection Unit" to the main part of its fifty-fourth session.